

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

STRIKE 3 HOLDINGS, LLC,

Plaintiff,

v.

JOHN DOE subscriber assigned IP address
71.225.129.142,

Defendant.

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) Civil Case No. 2:17-cv-04802-WB
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**MOTION FOR LEAVE TO SERVE A THIRD PARTY
SUBPOENA PRIOR TO A RULE 26(f) CONFERENCE**

Pursuant to the Federal Rules Civil Procedure 26(d)(1), and upon the attached: (1) Memorandum of Law in support of this motion; (2) Declaration of Greg Lansky in support of this motion; (3) Declaration of Tobias Fieser in support of this motion; (4) Declaration of Jeff M. Fischbach in support of this motion; and (5) Declaration of Susan B. Stalzer in support of this motion, Strike 3 Holdings, LLC (“Plaintiff”) respectfully moves for entry of an order granting it leave to serve a third party subpoena on Comcast Cable, prior to a Rule 26(f) conference (the “Motion”). A proposed order is attached for the Court’s convenience.

Dated: November 10, 2017

Respectfully submitted,

FOX ROTHSCHILD, LLP

By: /s/ Andrew W. Bonekemper
Christian Moffitt, Esq. (206770)
cmoffitt@foxrothschild.com
Andrew W. Bonekemper, Esq. (84313)
abonekemper@foxrothschild.com
10 Sentry Parkway, Suite 200
P.O. Box 3001
Blue Bell, PA 19422-3001
Tel.: (610) 397-6500
Fax: (610) 397-0450
www.foxrothschild.com
Attorneys for Plaintiff